

EXHIBIT E

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING :
PHARMACY, INC; PRODUCTS : MDL No 2419
LIABILITY LITIGATION :
: Master Dkt.
: 1:13-md-02419-FDS
THIS DOCUMENT RELATES TO: :
: Judge Rya Zobel
All Cases Identified in :
Docket No. 1472-1 :
:

VIDEOTAPED DEPOSITION OF
RAYMOND K. SCHNEIDER, P.E.

9:05 a.m.
February 26, 2016

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32 Also Present: Reese Hamilton, Videographer

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1 inspection?

2 A. There was some documentation that
3 they generated, and whether it was part of that
4 inspection or their own process, I don't know.

5 Q. And you understand that that
6 inspection took place prior to Dr. Austin's
7 inspection of December of 2012, correct?

8 A. I believe so.

9 Q. Do you have any understanding of
10 what the FDA did during that inspection?

11 A. When you say "what they did", they
12 walked, they inspected, they took pictures. I
13 think that they got samples of the debris that
14 was around the room. I think that they commented
15 on the fact that the -- that there was an
16 unoccupied cycle in the air-conditioning. I
17 recall that that was in the report. That is all
18 that comes to mind at the moment.

19 Q. Do you know if federal agents from
20 the FBI also were part of that inspection?

21 A. I am not aware of that.

22 Q. Do you know whether or not those
23 inspectors, either with the FDA, the
24 Massachusetts Board of Pharmacy, the FBI or
25 anybody involved in that inspection whatsoever,

1 manipulated or otherwise changed the structure of
2 the ceiling of the 2006 cleanroom?

3 A. I have no reason to believe that.

4 Q. Well, you have no knowledge that
5 that was not done, correct?

6 MR. SCHRAMEK: Object to the form.

7 THE WITNESS: I have no knowledge
8 that -- of what transpired during that
9 inspection other than the results of the
10 report.

11 BY MR. GASTEL:

12 Q. But you don't know what they
13 physically did in the cleanroom to arrive at the
14 conclusions in that report, correct?

15 A. I don't believe -- no, if there
16 were any, I don't recall at that point.

17 Q. Are you aware that NECC conducted a
18 top-to-bottom cleaning of the NECC facility in
19 September of 2012 and cleaned the entire
20 cleanroom with bleach?

21 A. I don't know that.

22 Q. Are you aware of whether or not
23 anybody, also during NECC's own cleaning in
24 September of 2012, manipulated the ceiling in any
25 way?

1 STATE OF GEORGIA:

2 COUNTY OF FULTON:

3 I hereby certify that the foregoing
4 transcript was reported, as stated in the
5 caption, and the questions and answers thereto
6 were reduced to typewriting under my direction;
7 that the foregoing pages represent a true,
8 complete, and correct transcript of the evidence
9 given upon said hearing, and I further certify
10 that I am not of kin or counsel to the parties in
11 the case; am not in the employ of counsel for any
12 of said parties; nor am I in any way interested
13 in the result of said case.

14

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17 M. Susan DeCarlo, Notary Public
18 and Registered Professional Reporter
19 Commission Expires 10-22-2016
20 Georgia Certificate Number 2125

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